

# SENATE BILL REPORT

## SB 6059

---

---

As Passed Senate, February 14, 2014

**Title:** An act relating to charges for scanning public records.

**Brief Description:** Concerning charges for scanning public records.

**Sponsors:** Senators Brown, Chase, Rivers, Becker, Braun and Bailey.

**Brief History:**

**Committee Activity:** Governmental Operations: 1/23/14, 1/30/14 [DP].  
Passed Senate: 2/14/14, 48-0.

---

### SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Hasegawa, Ranking Member; Conway, Dandel and McCoy.

**Staff:** Samuel Brown (786-7470)

**Background:** The Public Records Act (PRA) requires that all state and local government agencies make all public records available for public inspection and copying unless certain statutory exemptions apply. Over 300 specific references in the PRA or other statutes remove certain information from application of the PRA, provide exceptions to the public disclosure and copying of certain information, or designate certain information as confidential. Under the PRA, a public record includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency, regardless of physical form or characteristics. The provisions requiring public records disclosure must be interpreted liberally while the exemptions are interpreted narrowly to effectuate the general policy favoring disclosure.

Public agencies are prohibited from charging fees for locating public records and making them available for copying, but may impose reasonable charges for providing copies of public records and for the use of agency equipment to make copies of public records. Charges for providing copies of public records cannot exceed the amount necessary to reimburse the agency for actual costs directly incident to providing the copies, and must be established and published by the agency.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:** Public agencies are prohibited from charging fees for locating public records and making them available for scanning, but may impose reasonable charges for providing scanned copies of public records and for the use of agency equipment to make scanned copies of public records. Charges for providing scanned copies of public records cannot exceed the amount necessary to reimburse the agency for actual costs directly incident to providing the scanned copies, and must be established and published by the agency.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This is a simple bill that just adds the word scanning. It updates the statute to reflect the technology in use today.

**Persons Testifying:** PRO: Senator Brown, prime sponsor.